

**Subpart 204.8—Contract Files****204.802 Contract files.**

Official contract files shall consist of—

(1) Only original, authenticated or conformed copies of contractual instruments—

(i) *Authenticated copies* means copies that are shown to be genuine in one of two ways—

(A) Certification as true copy by signature of an authorized person; or

(B) Official seal.

(ii) *Conformed copies* means copies that are complete and accurate, including the date signed and the names and titles of the parties who signed them.

(2) Signed or official record copies of correspondence, memoranda, and other documents.

**204.804 Closeout of contract files.**

(1) Contracting officers shall close out contracts in accordance with the procedures at PGI 204.804. The closeout date for file purposes shall be determined and documented by the procuring contracting officer.

(2) The head of the contracting activity shall assign the highest priority to closeout of contracts awarded for performance in a contingency area. Heads of contracting activities must monitor and assess on a regular basis the progress of contingency contract closeout activities and take appropriate steps if a backlog occurs. For guidance on the planning and execution of closing out such contracts, see PGI 207.105(b)(20)(C)(8) and PGI 225.7404(e).

[77 FR 30367, May 22, 2012]

**204.805 Disposal of contract files.**

(1) The sources of the period for which official contract files must be retained are General Records Schedule 3 (Procurement, Supply, and Grant Records) and General Records Schedule 6 (Accountable Officers' Accounts Records). Copies of the General Records Schedule may be obtained from the National Archives and Records Administration, Washington, DC 20408.

(2) Deviations from the periods cannot be granted by the Defense Acquisition Regulatory Council. Forward re-

quests for deviations to both the Government Accountability Office and the National Archives and Records Administration.

(3) Hold completed contract files in the office responsible for maintaining them for a period of 12 months after completion. After the initial 12 month period, send the records to the local records holding or staging area until they are eligible for destruction. If no space is available locally, transfer the files to the General Services Administration Federal Records Center that services the area.

(4) Duplicate or working contract files should contain no originals of materials that properly belong in the official files. Destroy working files as soon as practicable once they are no longer needed.

(5) Retain pricing review files, containing documents related to reviews of the contractor's price proposals, subject to certified cost or pricing data (see FAR 15.403-4), for six years. If it is impossible to determine the final payment date in order to measure the six year period, retain the files for nine years.

[56 FR 36289, July 31, 1991, as amended at 62 FR 40472, July 29, 1997; 63 FR 11528, Mar. 9, 1998; 71 FR 53044, Sept. 8, 2006; 77 FR 76939, Dec. 31, 2012]

**Subpart 204.9—Taxpayer Identification Number Information**

SOURCE: 64 FR 43099, Aug. 9, 1999, unless otherwise noted.

**204.902 General.**

(b) DoD uses the Federal Procurement Data System (FPDS) to meet these reporting requirements.

[74 FR 37645, July 29, 2009]

**Subpart 204.11—System For Award Management**

SOURCE: 68 FR 64558, Nov. 14, 2003, unless otherwise noted.

**204.1103 Procedures.**

See PGI 204.1103 for helpful information on navigation and data entry in the System for Award Management (SAM) database.

(1) On contract award documents, use the contractor's legal or "doing business as" name and physical address information as recorded in the (SAM) database at the time of award.

(2) When making a determination to exercise an option, or at any other time before issuing a modification other than a unilateral modification making an administrative change, ensure that—

(i) The contractor's record is active in the SAM database; and

(ii) The contractor's Data Universal Numbering System (DUNS) number, Commercial and Government Entity (CAGE) code, name, and physical address are accurately reflected in the contract document.

(3) At any time, if the DUNS number, CAGE code, contractor name, or physical address on a contract no longer matches the information on the contractor's record in the SAM database, the contracting officer shall process a novation or change-of-name agreement, or an address change, as appropriate.

(4) See PGI 204.1103 for additional requirements relating to use of information in the SAM database.

(5) On contractual documents transmitted to the payment office, provide the CAGE code, instead of the DUNS number or DUNS+4 number, in accordance with agency procedures.

[74 FR 37643, July 29, 2009, as amended at 78 FR 28757, May 16, 2013]

**204.1105 Solicitation provision and contract provisions.**

When using the provision at FAR 52.204-7, System for Award Management, use the provision with 252.204-7004, Alternate A, System for Award Management.

[78 FR 28757, May 16, 2013, as amended at 78 FR 30232, May 22, 2013; 79 FR 11342, Feb. 28, 2014]

**Subpart 204.12—Annual Representations and Certifications**

SOURCE: 73 FR 1823, Jan. 10, 2008, unless otherwise noted.

**204.1202 Solicitation provision.**

(1) When using the provision at FAR 52.204-8, Annual Representations and Certifications, use the provision with 252.204-7007, Alternate A, Annual Representations and Certifications; and

(2) When the provision at FAR 52.204-7, System for Award Management, is included in the solicitation, do not include separately in the solicitation the following provisions, which are included in DFARS 252.204-7007:

(i) 252.209-7001, Disclosure of Ownership or Control by the Government of a Terrorist Country.

(ii) 252.209-7002, Disclosure of Ownership or Control by a Foreign Government.

(iii) 252.209-7003, Reserve Officer Training Corps and Military Recruiting on Campus—Representation.

(iv) 252.216-7008, Economic Price Adjustment—Wage Rates or Material Prices Controlled by a Foreign Government—Representation.

(v) 252.225-7000, Buy American—Balance of Payments Program Certificate.

(vi) 252.225-7020, Trade Agreements Certificate.

(vii) 252.225-7031, Secondary Arab Boycott of Israel.

(viii) 252.225-7035, Buy American—Free Trade Agreements—Balance of Payments Program Certificate.

(ix) 252.225-7042, Authorization to Perform.

(x) 252.225-7049, Prohibition on Acquisition of Commercial Satellite Services from Certain Foreign Entities—Representations.

(xi) 252.229-7012, Tax Exemptions (Italy)—Representation.

(xii) 252.229-7013, Tax Exemptions (Spain)—Representation.

(xiii) 252.247-7022, Representation of Extent of Transportation by Sea.

[76 FR 58141, Sept. 20, 2011, as amended at 77 FR 19129, Mar. 30, 2012; 77 FR 35879, June 15, 2012; 78 FR 37983, June 25, 2013; 78 FR 40043, July 3, 2013; 79 FR 45664, Aug. 5, 2014; 79 FR 51264, Aug. 28, 2014]

**Subpart 204.70—Uniform Procurement Instrument Identification Numbers**

**204.7000 Scope.**

This subpart—